

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DONNA EVANS,

Plaintiff,

v.

CENTERPOINT ENERGY, INC.,

Defendant.

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CIVIL ACTION NO. 2:04CV91

JUDGE WARD

**PLAINTIFF'S AND DEFENDANT'S JOINT MOTION TO DISMISS WITH
PREJUDICE**

NOW COMES Plaintiff, Donna Evans, and Defendant, CenterPoint Energy, Inc., and, having resolved all matters between them, hereby move pursuant to Fed. R. Civ. P. 41(a)(2), for an order dismissing this action in its entirety WITH PREJUDICE, with each party to bear its own costs, expenses and attorney fees.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendant pray that this action be dismissed with prejudice, with all attorneys' fees and costs of court being borne by the party that incurred them.

Respectfully submitted,

/s/ Alex A. Castetter by permission S. Calvin Capshaw

Alex A. Castetter

State Bar No. 00783808

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